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SUBJECT: EGYPT TAKING STEPS TO ADDRESS AND COMBAT HUMAN
TRAFFICKING

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Classified By: Minister Counselor for Economic and Political Affairs
William R. Stewart for reasons 1.4 (b) and (d).

[1](#)1. (C) Summary: Ambassador Mark Lagon, the Director of the Office to Monitor and Combat Trafficking in Persons, visited Egypt on November 14-17 and met with numerous Egyptian government officials, UN organizations, representatives, and NGO leaders involved in combating trafficking-in-persons (TIP). The MFA is undertaking a study to understand the nature and scope of human trafficking in Egypt. It also plans to conduct a public awareness campaign to combat trafficking, and is working to develop a comprehensive law to criminalize human trafficking. Ambassador Lagon acknowledged to Egyptian officials that some progress had been made because of the trafficking amendments that were included in the new Child Law, passed in June 2008. However, he stressed that Egypt still needed to work on prosecuting those who engage in human trafficking, and on identifying and protecting the victims of these crimes. Egyptian officials asked if the USG could provide technical assistance, "know-how," and training for those involved in combating human trafficking. End Summary.

GOE Working on Study, Law, and Awareness Campaign

[1](#)2. (C) The Government of Egypt (GOE) is working on a "comprehensive" trafficking law that would create a legal framework to fight human trafficking. The Ministry of Foreign Affairs (MFA) heads the National Commission for Combating TIP, a 16-agency, inter-ministerial group tasked with drafting the new anti-TIP legislation. Wael Aboulmagd, MFA Deputy Assistant Minister for Human Rights, and head of the commission's technical secretariat, told us that the GOE is at a "reasonable stage" in the drafting of the trafficking law. He said that the GOE's plan is to carry out a research study on trafficking, develop a comprehensive trafficking law, roll out a prevention and awareness campaign, and seek international assistance for capacity building.

[1](#)3. (C) Aboulmagd said the GOE will first conduct a study to better understand the nature and scope of trafficking in Egypt. He told us the committee wanted to understand whether trafficking in Egypt is primarily an internal phenomenon, or a problem of traffickers using Egypt as a transit country. Aboulmagd feels that the study, scheduled for completion in early 2009, will allow the comprehensive trafficking law to address the specific problems in Egypt. The GOE contracted with the National Center for Criminological and Social Research to conduct the study. UNICEF's Representative in

Egypt, Dr. Erma Manoncourt, said that the GOE asked for USD 50,000 to fund the study, but had not yet shared the study design. She wants to be certain that the study focuses on gathering facts and evidence before a funding decision is made. Fiona El Assiuty, the National Program Officer for the International Organization for Migration (IOM), said that the IOM is working with GOE to help design the study.

14. (C) On the legislative side, Aboulmagd said that the MFA is working with the Ministries of Interior (MOI) and Justice (MOJ), the Public Prosecutors Office and the National Council on Childhood and Motherhood (NCCM) to draft the trafficking law. He hoped that a draft law could be shared with the National Commission at the end of March 2009. Once approved, the draft law will be sent to the Prime Minister's office. This schedule would allow the law to be presented during the Fall 2009 parliamentary session. Ambassador Lagon asked if Egypt was seeking assistance in preparing the law. Aboulmagd said Egyptians are "protective of their legislative process," but the committee looked at trafficking laws in 30 countries, and eventually plans to solicit the opinion of the National Council on Human Rights (NCHR), a non-governmental organization, to review the details of the draft law. Judge Adel Fahmy, the MOJ's Head of International Cooperation, said that Egypt's ratification of international instruments against TIP, such as the Palermo Protocol, makes trafficking in persons illegal. He also told us that several specific laws already address TIP issues such as the child law, labor code and laws against abduction and prostitution. However, Judge Fahmy said the new trafficking law will be comprehensive and cover both internal and transit trafficking crimes.

15. (C) According to Aboulmagd, the Ministry of Information is working with "friends" in the EU to come up with a comic book that will be used to create public awareness of human trafficking. In addition, he told us that the Ministry of Information plans to use television and other media to raise awareness and combat skepticism about trafficking in Egypt.

Some Officials and Civil Society Activists Concerned

16. (C) The GOE is attempting to address the trafficking issues, but according to government officials, international organizations, and civil society activists it still needs to overcome certain hurdles including agreeing on a clear definition of trafficking, obtaining "buy-in" from all relevant ministries, and "implementing" the trafficking law once enacted. Judge Adel Fahmy admitted that there is a need within the GOE to reach a common "definition" of trafficking-in-persons. (Note. The issue in question is whether to treat Egyptian citizens, notably children, as TIP victims, as provided for in the Palermo Protocol. Some officials acknowledge this and others do not. For instance in the very same meeting at Ministry of Justice, there was variation among officials, generally with more junior specialists accepting the inclusive and correct definition. End note.) Ambassador Mushira Khattab, the Secretary General of The National Council on Childhood and Motherhood (NCCM) told us that Egypt's "culture of sovereign ministries" makes it difficult to get government officials to work together. As such, her chief concern lies in the implementation of the trafficking law by the police and prosecutors. El Assiuty said that the GOE also needs to make progress in identifying and not punishing the victims of trafficking. IOM recently conducted a training program for 20 police officers on trafficking and victims assistance. It is currently in the process of following-up on results of the training. Dr. Nihal Fahmy, a regional TIP expert and former UNODC TIP expert said that "Egypt still lags behind others in the region." She said that the MOJ still views trafficking as a problem of organized criminal groups using Egypt as a transit country and not as a large internal problem, or crimes that could be committed by individuals. She feels that Egypt needs an independent body, such as the NCHR, to play a larger role in the efforts to define and combat TIP.

----- Progress in the Child Law Amendments -----

¶17. (C) In June 2008, Egypt passed amendments to the child law that criminalized trafficking of children. All the experts with whom we spoke thought this was a significant step forward. Khattab told us that NCCM is writing the by-laws for the child law, and is looking for U.S. assistance. Ambassador Lagon asked if Egypt will effectively implement the child law amendments. Manoncourt was skeptical about implementation because she said "Egypt is known for good laws, but they are not enforced." El Assiuty was more optimistic. She said that there is political will to implement the law because of First Lady Suzanne Mubarak's anti-trafficking efforts on the international stage. Khattab told us the First Lady's commitment to fighting trafficking changed the orientation of the MOJ, which she says is now supportive of the process to criminalize human trafficking. (Comment. To date the First Lady's focus has been global as opposed to domestic. Ambassador Lagon's visit indicated some evidence of a modest constructive shift in that focus regarding TIP. End comment.)

----- Street Children a Large Source of the Trafficking Problem -----

¶18. (C) Most experts agree that street children are a large contributor to the trafficking problems in Egypt. There are no hard numbers, but estimates of the number of street children in Egypt range between 200,000 and 1 million. Manoncourt told us that most street children leave their homes because of parental divorce. She said that the street children are easy prey for traffickers, and many are forced into working, begging or prostitution. Separately, Manoncourt and Prosecutor General Abd El-Megeed Mahmoud said the recent Al Tourbini case, where 20 children were forced to beg, were sexually assaulted and then killed by a trafficking gang, focused public attention on the problem of street children, and led the government to increase actions to combat the victimization of street children for sex and organ

trafficking. Two Al Tourbini gang members were convicted in May 2007 and sentenced to death. The appeal is currently before the Court of Cassation. However, despite the case, Manoncourt said the police are still not sensitive to problems of street children and are more likely to see them as criminals than as victims.

----- Infrastructure and Services Lacking -----

¶19. (C) Dr. Nihal Fahmy informed us of some very disturbing information regarding the protection of potential TIP victims. She said that the Ministry of Social Solidarity (MOSS) provides meals and shelter for street children during day, but is forced to kick them out at night because of the lack of sleeping quarters. She added that the GOE could use funding support to provide better infrastructure for the shelters. Manoncourt said that many children are more comfortable with their gangs so they often leave the shelters voluntarily and return to the streets. She believes that it is possible to attract street children to the shelters by providing medical care, schooling, and job training.

----- Child Labor and Child Brides Controversial -----

¶10. (C) Similar to the street children problem, the issue of child labor and domestic servitude is difficult to quantify. Khattab told us that the Swiss Embassy funded a study on domestic servitude, but the problem proved too difficult to measure. Manoncourt said that it is difficult to distinguish the child laborers that have been trafficked from those who

work out of need to help support their families. Dr. Nihal Fahmy said that discussion of child labor is "taboo" because many Egyptian families depend on the income, and the child labor is "not necessarily exploitative, or forced." Fahmy said it would be unreasonable to completely outlaw this labor. Instead, she advocates for national regulations to limit the number of work hours, and to provide age restrictions on domestic servants because some 7 and 8-year old girls work as maids (Note: Current Egyptian labor law sets the minimum age for seasonal work at 12 and caps the number of hours at 6 per day. The minimum age for formally entering the workforce is 14.).

¶11. (C) The issue of child brides is also controversial in Egypt as it is often a source of income for poor families. El Assiuty believes the GOE is reluctant to push the issue because it would upset both Egyptian families and "wealthy men from the Gulf countries" who come to Egypt and pay large sums specifically for young brides. Dr. Nihal Fahmy told us that local shaykhs, including those from Al Azhar, often arrange the marriages of young brides. She said that the shaykhs feel they have done no wrong, and believe they are helping poor families. She said that in order to stop the practice, the GOE would need to provide monetary support for families who "sell their daughters in marriage," and provide education for the daughters. She is concerned that the trafficking law, if passed next year, will not include a prohibition on early or forced marriage because there is no political will for such an action.

Sex Tourism Growing

¶12. (C) All the experts we talked to agreed that sex tourism in Egypt is growing. Most of the demand comes from Europe and the Gulf countries and the victims often include girls under the age of 18. Manoncourt told us there are three forms of sex tourism in Egypt. First, tourists come from Europe and the Gulf to Cairo, Alexandria, Luxor and Sharm al-Shaykh looking for sex. Second, summer visitors from the Gulf pay large sums for temporary marriages to young Egyptian girls. Third, poor Egyptian families are paid large dowries to send their daughters to the Gulf as brides. After arriving in the Gulf, these girls often are sexually abused and used in forced labor. El Assiuty told us that the GOE is reluctant to admit that child prostitution exists. Dr. Nihal Fahmy and Ambassador Khattab both told us that the Ministry of Tourism (MOT) is aware of sex tourism and looks the other way. Khattab opined that the MOT is strongly opposed to focusing on sex tourism because "it will chase tourists away." (Note. The 2005 reauthorizations of the Trafficking Victims Protection Act mandate treatment of child sex tourism and demand reduction campaigns in the Annual TIP Report, and this phenomenon involving Saudi and other Gulf citizens,

including temporary marriages, is pertinent. End note.)

African Refugees Vulnerable

¶13. (C) Another growing trafficking problem involves African refugees. Due to hard economic circumstances, refugees are extremely vulnerable to traffickers. Domestic labor is the main source of income for female refugees from Sudan, Eritrea and Ethiopia because they can earn between USD 200-300 per month. Many of our Sudanese contacts tell us that maids, as young as 14 years old, are often sexually exploited by their Egyptian employers. Magda Ali, Director of Ma'an, A Sudanese Women's Organization, told us that Sudanese gangs often work as brokers, providing prostituted females as young as 15 years old to work in the clubs and sex houses in Cairo. She added that some gang members are married to 3 or 4 girls, whom they pimp out to support their "hip-hop" lifestyles.

¶14. (C) Our Sudanese contacts tell us that refugee families fear these gangs, and can do nothing to stop them. Ali said that African refugees do not report this activity to the

Egyptian police because the police are racist and will not take the complaint seriously. Additionally, the perception in Sudanese community--after the Mustafa Mahmoud incident in which 27 Sudanese refugees were killed by Egyptian police (reftel A)--is that the gangs protect the Sudanese from the police. Ali told us that the problem has become so large that the Eritrean Embassy is beginning to forcibly repatriate girls involved in prostitution. (Note. There should be screening for human trafficking victims. End note.) In addition, Ali recently received reports that female university students from Sudan are now being brought to Egypt for "weekend" prostitution.

Distinguishing Victims from Criminals

¶15. (C) Khattab said a real problem is that police continue to treat TIP victims as criminals. She said "there is no focus on rehabilitation of victims, or perpetrators." Khattab told us that NCCM plans to launch a victim's rehabilitation center in January 2009. Mahmoud acknowledged this problem. He told us that Egypt needs help to train first responders to distinguish trafficking from ordinary crime, and to identify and protect victims. He also noted there is a need for trained social workers. IOM is attempting to address some of these problems. On December 14, First Lady Suzanne Mubarak presided over the official release for the IOM's "Handbook on Direct Assistance to Victims of Trafficking."

¶16. (C) Mahmoud pointed to provisions in the child law, prostitution law, and labor law as improvements in avenues to prosecute types of trafficking. He told us that he is anxious for the comprehensive trafficking law because it will help with all types of trafficking prosecutions. He said the Public Prosecutors office is committed to prosecuting criminals and criminal activity, and acknowledged that in many cases a crime exists even if there is consent from the victim. Mahmoud said his office would appreciate U.S. assistance on how to best prosecute trafficking cases. Manoncourt asserted that the GOE is not wasting time waiting for trafficking law. She said it has begun acting to criminalize and prosecute TIP. However, Dr. Nihal Fahmy expressed some skepticism stating that the GOE will never prosecute a child's guardian, which will make it difficult to stop child brides.

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Training and Expertise Needed to Build Capacity

¶17. (C) Egyptian governmental organizations and civil society groups are attempting to increase the local capacity and infrastructure to deal with human trafficking. Azza El Ashmawy heads the NCCM's anti-trafficking unit. The unit began with a USD 1 million grant from USAID, and is currently working on drafting a national action plan for trafficking prevention, criminal prosecution, and victim protection. El Ashmawy requested U.S. technical assistance in drafting the plan. Khattab highlighted NCCM's operation of a child help line, showing its operations room to Ambassador Lagon, which helps to identify "at risk children." However, she stated that NCCM needs assistance to create a back-up for its data collection efforts. Responding to a question by Ambassador Lagon, Khattab said NCCM had no current capacity for

quantifying how many were victims of TIP. Manoncourt agreed that NCCM's child helpline has a rich database, but says NCCM needs assistance to mine and use it. Dr. Nihal Fahmy agreed that NCCM's work is crucial, but said its focus on children and mothers leaves out women without children, which is a large part of the "vulnerable population." She stressed the need for another body that would assist all the vulnerable groups in the population.

¶18. (C) Khattab said the human rights culture in Egypt is "weak" and the GOE needs training manuals to teach victim protection. Aboulmagd acknowledged that training was needed

to familiarize police with how to deal with trafficking issues, and aid prosecutors to try trafficking cases. He welcomed cooperation with the USG in this endeavor. Judge Adel Fahmy told us that judges need training on the legal intricacies of trafficking. Manoncourt pointed to the police training program in India as an example that could work in Egypt. She said that effective implementation of the trafficking laws or amendments would also necessitate training officials in the governorates.

USG TIP Report

¶19. (C) The USG's TIP report was the subject of comments during our meetings. El Assiuty said that TIP report creates both positive and negative responses from Egyptians involved in combating TIP. Dr. Nihal Fahmy told us the report has caused the GOE to take action on TIP. However, Egyptian officials were less positive about the report (reftel B). Mahmoud said the U.S. TIP report "does not match the legal and factual realities in Egypt." Aboulmagd expressed his frustration that even though the GOE was devoting time and resources to TIP, at the expense of other issues, Egypt is still on the Watch List.

¶20. (C) Comment: Government officials, international organizations, and civil society activists all agree that Egypt has made positive strides in the past year to address TIP. The importance of the child law amendments should not be overlooked as they criminalize most forms of trafficking of children. The work of First Lady Suzanne Mubarak, combating TIP on the international stage, has also changed the perceptions of TIP within many Egyptian ministries. Egypt is beginning to understand that human trafficking is an internal problem and not just a problem of traffickers using Egypt as a transit country. The Public Prosecutors office is starting to use the tools and laws at its disposal to prosecute those who engage in trafficking activities, if haltingly. Ambassador Lagon and Post believe that technical assistance, training, and support can help the GOE make more progress in the combating human trafficking. As evidence of this, many of the current champions leading the fight against TIP are officials who participated in the International Visitor's Program. Azza el-Ashmawy of NCCM, Amira Fahmy of the MFA, and Hany Fathy Georgy in the Public Prosecutor's Office all play key supporting roles within their ministries in the fight against human trafficking in Egypt. Based on a sense of modest but clear traction and stirring political will for the first time in recent years, Ambassador Lagon decided that add Egypt to a list of 43 other countries prioritized for G/TIP's recent FY09 grant solicitation, with a deadline of submission of January 21, 2009. Capacity building is needed, although it is clear international organizations rather than NGOs will be the most viable implementers at the moment.

¶21. (U) Ambassador Lagon cleared this message.
SCOBAY